

*16*  
26. (Amended) The integrated sealed secondary battery according to claim  
*10*, further comprising:

*B4  
Contd*  
distribution headers provided at both a third side and a fourth side of the row of cells for distributing and collecting cooling medium in the first cooling medium passages on both the first side and the second side of the row of cells;

an inlet orifice provided in the distribution header at the third side of the row of cells; and

an outlet orifice provided in the distribution header at the fourth side of the row of cells, wherein at least in one of the distribution headers the distance from the inlet orifice or the outlet orifice to the first cooling medium passages on both the first side and the second side of the row of cells are different from each other.

#### REMARKS

Claims 10-16 and 18-26 are pending in the present application. Non-elected claims 1-9 and 17 are cancelled. Claims 10-16 and 18-26 are rejected under 35 U.S.C. §112, second paragraph as being indefinite. Claim 10 is rejected under 35 U.S.C. §103(a) as obvious over Dinkler et al., U.S. Patent No. 3,745,048.

**Rejections Under 35 U.S.C. §112, Second Paragraph**

The Examiner rejects claims 10-16 and 18-26 as being indefinite for failing to distinctly claim the subject matter which Applicants regard as their invention. Claims 10-13, 18-23 and 25-26 are amended to clarify the invention. These amendments are related to form and not substantial questions of patentability.

Regarding the Examiner's rejection of the language "top wall," "bottom wall" and "top ends," Applicants respectfully traverse the Examiner's position that this language is indefinite. The "top wall" and the "bottom wall" are of the first cooling medium passages as positively recited in claim 10. The "top ends" refers to the top end of the projection strips. This feature is also positively recited in claim 10.

The definiteness of claim language must be analyzed in light of the teachings of the prior art and of the particular application disclosure as it would be interpreted by one possessing the ordinary level of skill in the pertinent art.

*Application of Moore*, 169 USPQ 236 (CCPA 1971).

It is respectfully submitted that one of ordinary skill in the art, having reviewed the specification materials, would reasonably be able to interpret the pending claims.

In view of the above, it is respectfully requested that all rejections under 35 U.S.C. §112, second paragraph be withdrawn.



**Rejections Under 35 U.S.C. §103(a)**

The Examiner rejects claim 10 as obvious over Dinkler et al. In the Examiner's rejection, she states that the cited reference does not teach "projection strips provided in the first cooling medium passages such as to alternately extend downwards from a wall and upwards from a wall so that the first cooling passages meander upwards and downward." Nonetheless, the Examiner asserts that the ribs 14 of the Dinkler et al. reference perform the same function of the projection strips of the present application. Applicants respectfully traverse the Examiner's position.

Independent claim 10, recites, in part:

projection strips provided in the first cooling medium passages such as to alternately extend downwards from a top wall and upwards from a bottom wall of the first cooling medium passages so that the first cooling medium passages meander upwards and downwards; and

air escape apertures formed between the top wall of the cooling medium passages and top ends of the projection strips that extend downwards from the top wall of the cooling medium passages.

These features distinguish the present invention from the cited art. The cited art does not teach a structure forming a meandering flow path. In the cited art, ribs 14 divide the flow of coolant so that the battery cooling system necessitates the plenum 50 to ensure an evenly distributed flow of the coolant. The claimed structure forming the meandering path of the present invention, however, is free from this problem because the path does not divide the coolant. Thus, there is no need to include a plenum in

the present invention. Air escape apertures are provided to avoid stagnation of resulting from the meandering path. Since the meandering path in independent claim 10 does not perform the same function of the ribs, that is dividing the flow path, in the Dinkler et al. reference, it is respectfully submitted that the rejection under 35 U.S.C. §103(a) be withdrawn.

For the convenience of the Examiner, APPENDIX II is provided herewith having a complete set of pending claims with all amendments effected therein.

Applicant respectfully requests a three month extension of time for responding to the Office Action. Please charge the fee of \$920.00 for the extension of time to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,  
Jordan and Hamburg LLP

By C. Bruce Hamburg  
C. Bruce Hamburg  
Reg. No. 22,389  
Attorney for Applicants

*bry* and,

By Jacqueline M. Steady  
Jacqueline M. Steady  
Reg. No. 44,354  
Attorney for Applicants

Jordan and Hamburg LLP  
122 East 42nd Street  
New York, New York 10168  
(212) 986-2340